

Opium Made Easy*

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One gardener's encounter with the war on drugs

Last season was a strange one in my garden, notable not only for the unseasonably cool and wet weather - the talk of gardeners all for its climate of paranoia. One flower was the cause: a tall, breathtaking poppy, with silky scarlet petals and a black heart, the growing of which, I discovered rather too late, is a felony under state and federal law. Actually, it's not quite as simple as that. My poppies were, or became, felonious; another gardener's might or might not be. The legality of growing opium poppies (whose seeds are sold under many names, including the breadseed poppy, *Papaver paeoniflorum*, and, most significantly, *Papaver somniferum*) is a tangled issue, turning on questions of nomenclature and epistemology that it took me the better part of the summer to sort out. But before I try to explain, let me offer a friendly warning to any gardeners who might wish to continue growing this spectacular annual: the less you know about it, the better off you are, in legal if not horticultural terms. Because whether or not the opium poppies in your garden are illicit depends not on what you do, or even intend to do, with them but very simply on what you know about them. Hence my warning: if you have any desire to grow opium poppies, you would be wise to stop reading right now.

As for me, I'm afraid that, at least in the eyes of the law, I'm already lost, having now tasted of the forbidden fruit of poppy knowledge. Indeed, the more I learned about poppies, the guiltier my poppies became - and the more fearful grew my days and to some extent also my nights. Until the day last fall, that is, when I finally pulled out my poppies' withered stalks and, with a tremendous feeling of relief, threw them on the compost, thereby (I hope) rejoining the ranks of gardeners who don't worry about visits from the police.

It started out if not quite innocently, then legally enough. Or at least that's what I thought back in February, when I added a couple of poppy varieties (*P. somniferum* as well as *P. paeoniflorum* and *P. rhoeas*) to my annual order of flowers and vegetables from the seed catalogues. But the state of popular (and even expert) knowledge about poppies is confused, to say the least; mis- and even disinformation is rife. I'd read in Martha Stewart Living that "contrary to general belief, there is no federal law against growing *P. somniferum*." Before planting, I consulted my Taylor's Guide to Annuals, a generally reliable reference that did allude to the fact that "the juice of the unripe pod yields opium, the production of which is illegal in the United States." But Taylor's said nothing worrisome about the plants themselves. I figured that if the seeds could be sold legally (and I found *sommiferum* on offer in a half-dozen well-known catalogues, though it was not always sold under that name), how could the obvious next step - i.e., planting the seeds according to the directions on the packet - possibly be a federal offense? Were this the case, you would think there'd at least be a disclaimer in the catalogues.

So it seemed to me that I could remain safely on the sunny side of the law just as long as I didn't attempt to extract any opium from my poppies. Yet I have to confess that this was a temptation I grappled with all last

summer. You see, I'd become curious as to whether it was in fact possible, as I'd recently read, for a gardener of average skills to obtain a narcotic from a plant grown in this country from legally available seeds. To another gardener this will not seem odd, for we gardeners are like that: eager to try the improbable, to see if we can't successfully grow an artichoke in Zone 5 or make echinacea tea from the roots of our purple coneflowers. Deep down I suspect that many gardeners regard themselves as minor-league alchemists, transforming the dross of compost (and water and sunlight) into substances of rare value and beauty and power. Also, one of the greatest satisfactions of gardening is the independence it can confer - from the greengrocer, the florist, the pharmacist, and, for some, the drug dealer. One does not have to go all the way "back to the land" to experience the satisfaction of providing for yourself off the grid of the national economy. So, yes, I was curious to know if I could make opium at home, especially If I could do so without making a single illicit purchase. It seemed to me that this would indeed represent a particularly impressive sort of alchemy.

I wasn't at all sure, however, whether I was prepared to go quite that far. I mean, opium! I'm not eighteen anymore, or in any position to undertake such a serious risk. I am in fact forty two, a family man (as they say) and homeowner whose drug-taking days are behind him. Not that they aren't sometimes fondly recalled, the prevailing cant about drug abuse notwithstanding. But now I hate a kid and a mortgage and a Keogh. There is simply no place in my grownup, middle-class lifestyle for an arrest on federal narcotics charges, much less for the forfeiture of my family's house and land, which often accompanies such an arrest. It was one thing, I reasoned to grow poppies; quite another to manufacture narcotics from them. I figured I knew where the line between these two deeds fell, and felt confident that I could safely toe it.

But in these days of the American drug war, as it turns out, the border between the sunny country of the law-abiding - my country! - and a shadowy realm of SWAT teams, mandatory minimum sentences, asset forfeitures, and ruined lives is not necessarily where one thinks it is. One may even cross it unawares. As I delved into the horticulture and jurisprudence of the opium poppy last summer, I made the acquaintance of one man, a contemporary and a fellow journalist, who had had his life pretty well wrecked after stepping across that very border. In his case, though, there is reason to believe it was the border that did the moving; he was arrested on charges of possessing the same flowers that countless thousands of Americans are right now growing in their gardens and keeping in vases in their living rooms. What appears to have set him apart was the fact that he had published a book about this flower in which he described a simple method for converting its seedpod into a narcotic-knowledge that the government has shown it will go to great lengths to keep quiet. Just where this leaves me, and this article, is, well, the subject of this article.

1.

Before recounting my own adventures among the poppies, and encounters with the poppy police, I need to tell you a little about this acquaintance, since he was the inspiration for my own experiments in poppy cultivation as well as the direct cause of the first flush of my paranoia. His name is Jim Hogshire. He first came to my attention a few years ago, when this magazine published an excerpt from *Pills-a-go-go*, one of the wittier and more in formative of the countless "zines" that sprang up in the early Nineties, when desktop publishing first made it possible for individuals single-handedly to publish even the narrowest of special-interest periodicals. Hogshire's own special interest - his passion, really - was the world of pharmaceuticals: the chemistry, regulation, and effects of licit and illicit drugs. Published on multicolored stock more or less whenever Hogshire got around to it, *Pills-a-go-go* printed inside news about the pharmaceutical industry alongside firsthand accounts of Hogshire's own self-administered drug experiments - "pill-hacking," he called it. The zine had a strong libertarian-populist bent, and was given to attacking the FDA, DEA, and AMA with gusto whenever those institutions stood between the American people and their pills - pills that Hogshire regarded with a reverence born of their astounding powers to heal as well as to alter the course of human history and, not incidentally, consciousness.

Hogshire's reports on his drug experiments made for amusing reading. I particularly remember his description, reprinted in this magazine, of the effects of a deliberate overdose of Dextromethorphan Hydrobromide, or DM, a common ingredient in over-the-counter cough syrups and nighttime cold remedies. After drinking eight ounces of Robitussin DM, Hogshire reported waking up at 4:00 A.M. and determining that he should now shave and go to Kinko's to get some copies made.

That may seem normal, but the fact was that I had a reptilian brain. My whole way of thinking and perceiving had changed....

I got in the shower and shaved. While I was shaving I "thought" that for all I knew I was hacking my face to pieces. Since I didn't see any blood or feel any pain I didn't worry about it. Had I looked down and seen that I had grown another limb, I wouldn't have been surprised at all; I would have just used it....

The world became a binary place of dark and light, on and off, safety and danger.... I sat at my desk and tried to write down how this felt so I could look at it later. I wrote down the word "Cro-Magnon." I was very aware that I was stupid.... Luckily there were only a couple of people in Kinko's and one of them was a friend. She confirmed that my pupils were of different sizes. One was out of round....

I knew there was no way I could know if I was correctly adhering to social customs. I didn't even know how to modulate my voice. Was I talking too loud? Did I look like a regular person? I understood that I was involved in a big contraption called civilization and that certain things were expected of me, but I could not comprehend what the hell those things might be....

I found being a reptile kind of pleasant. I was content to sit there and monitor my surroundings. I was alert but not anxious. Every now and then I would do a "reality check" to make sure I wasn't masturbating or strangling someone, because of my vague awareness that more was expected of me than just being a reptile....

My interest in Hogshire's drug journalism was mild and strictly literary; as I've mentioned, my own experiments with drugs were past, and never terribly ambitious to begin with. I'd been too terrified ever to try hallucinogens, and my sole experience with opiates had accompanied some unpleasant dental work. I'd grown some marijuana once in the early Eighties, when doing so was no big deal legally speaking. But things are different now growing a handful of marijuana plants today could cost me my freedom and my house.

We may not hear as much now about the war on drugs as we did in the days of Nancy Reagan, William Bennett, and "Just Say No." But in fact the drug war continues unabated; if anything, the Clinton Administration is waging it even more intensely than its predecessors, having spent a record \$15 billion on drug enforcement last year and added federal death penalties for so-called drug kingpins - a category defined to include large-scale growers of marijuana. Every autumn, police helicopters equipped with infrared sensors trace regular flight paths over the farm fields in my corner of New England; just the other day they spotted thirty marijuana plants tucked into a cornfield up the road from me, less than a hundred yards, as the crow flies, from my garden. For all I know, the helicopters peered down into my garden on their way; the Supreme Court has recently ruled that such overflights do not constitute an illegal search of

one's property, one of a string of recent rulings that have strengthened the government's hand in fighting the drug war.

Overflights and other such measures have certainly proved an effective deterrent with me. And anyway, the few times I've had access to marijuana in the last few years, my biggest problem was always finding the time to smoke it. Whatever else it may be, recreational drug use is a leisure activity, and leisure is something in woefully short supply at this point in my life. No small part of the pleasure I got from reading Hogshire's drug adventures consisted of nostalgia for a time when I could set aside a couple of hours, even a whole day, to see what it might feel like to have a reptilian brain.

Nowadays what leisure time I do have tends to be spent in the garden, a passion that in recent years has turned into a professional interest - I am, among other things, a garden writer. I mention this to help explain the keen interest I took in Jim Hogshire's subsequent project: a somewhat unconventional treatise on gardening titled *Opium for the Masses* published in 1994 by an outfit in Port Townsend, Washington, called Loompanics Unlimited. The book's astonishing premise is that anyone can obtain opiates, cheaply and safely and maybe even legally - or at least beneath the radar of the authorities, who, if Hogshire was to be believed, were overlooking something rather significant in their pursuit of the war on drugs. According to Hogshire's book, it is possible to grow opium from legally available seeds (he provided detailed horticultural instructions) or, to make matters even easier, to obtain it from poppy seedpods, which happen to be one of the more popular types of dried flowers sold in florist and crafts shops.

Whether grown or purchased, fresh or dried, these seedpods contain significant quantities of morphine, codeine, and thebaine, the principal alkaloids found in opium. Hogshire's claim flew in the face of everything I'd ever heard about opium - that the "right" kind of poppies grow only in faraway places like the Golden Triangle of Southeast Asia, that harvesting opium requires vast cadres of peasant workers armed with special razor blades, and that the extraction of opiates is a painstaking and complicated process.

Hogshire made it sound like child's play.

In addition to the horticultural advice, *Opium for the Masses* offered simple recipes for making "poppy tea" from either store-bought or homegrown poppies, and I reported that a cup of this infusion (which is apparently a traditional home remedy in many cultures) would reliably relieve pain and anxiety and "produce a sense of well-being and relaxation." Bigger doses of the tea would produce euphoria and a "waking sleep" populated by dreams of a terrific vividness. Hogshire cautioned that the tea, like all opiates, was addictive if taken too many days in a row; otherwise, its only notable side effect was constipation.

As for the legal implications, Hogshire was encouragingly vague: "Opium, the juice of the poppy, is a controlled substance but it's unclear how illegal the plant itself is." Here is how I figured one might be able to toe the line safely between the cultivation of opium poppies, routine enough in the gardening world, and felony possession of opium if opium is the extruded sap of the unripe seedpod, then the dried heads used to make tea by definition did not involve one with opium. Hogshire didn't go quite that far, but he did write that "it is unclear whether it is illegal to brew tea from poppies you've purchased legally from the store." As will soon become evident, Jim Hogshire is no longer unclear on either of these points.

Last winter Hogshire's lively little paperback joined the works of Penelope Hobhouse (On Gardening), Gertrude Jekyll (Gardener's Testament), and Louise Beebe Wilder (Color in My Garden) on my bedside table. Winter is when the gardener reads and dreams and draws up schemes for the borders he will plant come spring, and the more I read about what the ancient Sumerians had called "the flower of joy," the more intriguing the prospect of growing poppies in my garden became, aesthetically as well as pharmacologically. From Hogshire I drifted over to the more mainstream garden writers, many of whom wrote extravagantly of opium poppies - of their ephemeral outward beauty (for the blooms last but a day or

two) and their dark inward mystery.

"Poppies have cast a spell over gardeners and artists for many centuries," went one typical garden writer's lead; this was, inevitably, quickly followed by the phrase "dark connotations of the opium poppy." But nowhere in my reading did I find a clear statement that planting *Papaver somniferum* would put a gardener on the wrong side of the law. "When grown in a garden," one authority on annuals declared, somewhat ambiguously, "the cultivation of *P. somniferum* is a case of *Honi soit qui mal y pense*. (Shame to him who thinks ill.)" In general the garden writers tended to ignore or gloss over the legal issue and focus instead on the beauty of somniferum, which all concurred was exquisite.

Reading about poppies that winter, I wondered if it was possible to untangle the flower's physical beauty from the knowledge of its narcotic properties. It seemed to me that even the lady garden writers who (presumably) would never think of sampling opium had been subconsciously influenced by its mood-altering potential; Louise Beebe Wilder tells us that poppies set her "heart vibrating with their waywardness." Merely to gaze at a poppy was to feel dreamy, to judge by the many American Impressionist paintings of the flower, or from the experience of Dorothy and company, who you'll recall were interrupted on their journey through Oz when they passed out in a field of scarlet poppies. If ever there was an innocent angle from which to gaze at the opium poppy, our culture seems long ago to have forgotten where it is.

By now I too was falling under the spell of the opium poppy. I dug out my college edition of De Quincey's *Confessions of an English Opium-Eater*, and I reread Coleridge's descriptions of his opium dreams ("... how divine that repose is, what a spot of enchantment, a green spot of fountains and flowers and trees in the very heart of a waste of sands"). I read accounts of the Opium Wars, in which England went to war for no loftier purpose than to keep China's harbors open to opium clipper ships bound from India, whose colonial economy depended on opium exports. I read about nineteenth-century medicine, in whose arsenal opium - usually in the form of a tincture called laudanum - was easily the most important weapon. In part this was because the principal goal of medical care at that time was not so much to cure illness as to relieve pain, and there was (and is) no better painkiller than opium and its derivatives. But opium-based preparations were also used to treat, or prevent, a great variety of ills, including dysentery, malaria, tuberculosis, cough, insomnia, anxiety, and even colic in infants. (Since opium is extremely bitter, nursing mothers would induce babies to ingest it by smearing the medicine on their nipples.) Regarded as "God's own medicine," preparations of opium were as common in the Victorian medicine cabinet as aspirin is in ours.

Is there another flower that has had anywhere near the opium poppy's impact on history and literature? In the nineteenth century, especially, the poppy played as crucial a role in the course of events as petroleum has played in our own century: opium was the basis of national economies, a staple of medicine, an essential item of trade, a spur to the Romantic revolution in poetry, even a *casus belli*.

Yet I had to canvass dozens of friends before I found one who'd actually tried it; opium in its smokable form is apparently all but impossible to obtain today, no doubt because smuggling heroin is so much easier and more lucrative. (One unintended consequence of the war on drugs has been to increase the potency of all illicit drugs: garden-variety marijuana has given way to powerful new strains of sinsemilla; and powdered cocaine, to crack.) The friend who had once smoked opium smiled wistfully as he recalled the long-ago afternoon: "The dreams! The dreams!" was all he would say. When I pressed him for a more detailed account, he referred me to Robert Bulwer-Lytton, the Victorian poet, who'd likened the effect to having one's soul rubbed down with silk.

There was no question that I would have to try to grow it, if only as a historical curiosity. Okay, not only that, but that too. Again, you have to understand the gardener's mentality. I once grew Jenny Lind melons, a

popular nineteenth-century variety named for the most famous soprano of the time, just to see if I could grow them, but also to glean some idea of what the word "melon" might have conjured in the mind of Walt Whitman or Chester Arthur. I planted an heirloom apple tree, "Esopus Spitzenberg," simply because Thomas Jefferson had planted it at Monticello, declaring it the "finest eating apple in the world." Gardening is, among other things, an exercise of the historical imagination, and I was by now eager to stare into the black heart of an opium poppy with my own eyes.

So I began studying the flower sections of the seed catalogues, which by February formed a foot-high pile on my desk. I found "breadseed poppies" (whose seeds are used in baking) for sale in Seeds Blum, a catalogue of heirloom plants from Idaho, and several double varieties (that is, flowers with multiple petals) described as *Papaver paeoniflorum* in the catalogue of Thompson & Morgan, the British seed merchants. Burpee carries a breadseed poppy called "Peony Flowered," whose blooms resemble "ruffled pom-poms." In Park's, a large, mid-market seed catalogue from South Carolina (their covers invariably feature scrubbed American children arranged in a sea of flowers and vegetables), I found a white double poppy called "White Cloud" and identified as "Papaver somniferum paeoniflorum." Although I didn't know it at the time, all these poppies turn out to be strains of *Papaver somniferum*.

In Cook's, the catalogue from which I usually order my seeds for salad greens and exotic vegetables, I found *paeoniflorum* and *rhoeas*, as well as two intriguing varieties of *somniferum*: "Single Danish Flag," a tall poppy that, judging from the catalogue copy, closely resembles the classic scarlet poppies I'd read about and seen in Impressionist paintings; and "Hens and Chicks," about which the catalogue was particularly enthusiastic: "the large lavender blooms are a wonderful prelude to the seed pods, which are striking in a dried arrangement. A large central pod (the hen) is surrounded by dozens of tiny pods (the chicks)." More to the point, Hogshire had indicated in Opium for the Masses that "Hens and Chicks" might prove especially potent.

This was an issue I had wondered about the ornamental varieties on sale in the catalogues had obviously been bred for their visual or, in the case of the breadseed poppies, culinary qualities. It seemed likely that, as breeders concentrated on these traits to the neglect of others, the morphine and codeine content of these poppies might have dwindled to nothing. So what were the best varieties to plant for opiates?

I couldn't very well pose this question to my usual sources in the gardening world - -to Dora Galitzki, the horticulturist who answers the help line at the New York Botanical Garden, or to Shepherd Ogden, the knowledgeable and helpful proprietor of Cook's. So I tried, through a mutual friend, to get in touch with Jim Hogshire himself. I e-mailed him, explaining what I was up to and asking for recommendations as to the best poppy varieties as well as for advice on cultivation. As I would do with any fellow flower enthusiast, I asked him if he had any seeds he might be willing to share with me and told him about the varieties I'd found in the catalogues. "How can I be confident that these seeds - which have obviously been bred and selected for their ornamental qualities - will work?"

As it turned out, I picked the wrong time to ask. One morning a few days later, and before I'd had any response to my e-mail, I got a call from our mutual friend saying that Hogshire had been arrested in Seattle and was being held in the city jail on felony drug charges. It seems that on March 6 a Seattle Police Department SWAT team had burst into Hogshire's apartment, armed with a search warrant claiming that he was running a "drug lab." Hogshire and his wife, Heidi, were held in handcuffs while the police conducted a six-hour search that yielded a jar of prescription pills, a few firearms, and several bunches of dried poppies wrapped in cellophane. The poppies had evidently come from a florist, but Hogshire was nevertheless charged with "possession of opium poppy, with intent to manufacture and distribute." The guns were legal, but one was cited in the indictment as an "enhancement": another product of the drug war is the fact that the penalties on some narcotics charges rise steeply when the crime "involves" a firearm, even when that

firearm is legal or registered. Neither Jim nor Heidi Hogshire had ever been arrested before. Now Jim was being held on \$10,000 bail; Heidi, on \$2,000. If convicted, Jim faced ten years in prison; Heidi faced a two-year sentence on a lesser charge.

Forgive me for the sudden upwelling of naked self-interest, but all I could think about was that e-mail of mine, buried somewhere on the hard drive of Hogshire's computer, which no doubt was already in the hands of the police forensics unit. Or maybe the message had been intercepted somehow, part of a DEA tap on Hogshire's phone or a surveillance of his e-mail account. I could hardly believe my stupidity! Suddenly I thought I could feel the dull tug of the underworld's undertow, felt as if I'd been somehow implicated in something, though exactly what that might be I couldn't say. Yet my confidence that I stood firmly on the sunny side of the law had been shaken. They had my name.

But this was crazy, paranoid thinking, wasn't it? After all, I hadn't done anything, except order some flower seeds and write a mildly suggestive piece of e-mail. As for Hogshire, surely there had to be more to this bust than a bunch of dried poppies; it didn't make any sense. I asked our mutual friend if he would be in touch with Hogshire anytime soon, because I was eager to talk to him, to learn more about his peculiar case.

"Also," I added, as casually as I could manage, "would you mind asking him whether he's gotten any e-mail from me?"

2.

My poppy seeds arrived a couple weeks later. My plan was to them, see if I could get flowers and pods, and decide only then whether to proceed any further. I'd been spooked by Hogshire's arrest, doubly spooked to learn from our friend that in fact he had never received my e-mail - undelivered e-mail being highly unusual in my experience. But I still had little reason to doubt that growing poppies for ornamental purposes was legal, and so on an unseasonably warm afternoon in the first week of April I planted my seeds - two packets, each containing a thimbleful of grayish-blue specks. They looked exactly like what they were: poppy seeds, the same ones you find on a kaiser roll or a bagel. (In fact, it is possible to germinate poppy seeds bought from the supermarket's spice aisle. Also, eating such seeds prior to taking a drug test can produce a positive result.)

I'd prepared a tiny section of my garden, an area where the soil is especially loamy and, somewhat more to the point, several old apple trees block the view from the road. *Papaver somniferum* is a hardy annual that grows best in cool conditions, so it isn't necessary to wait for the last frost date to sow; I read that in the South, in fact, gardeners sow their poppies in late fall and winter them over. Sowing is a simple matter of broadcasting, or tossing, the seeds over the surface of the cultivated soil and watering them in; since the seeds are so tiny, there's no need to cover them, but it is a good idea to mix the seeds with a handful of sand in order to spread them as evenly as possible over the planting area.

Within ten days my soil had sprouted a soft grass of slender green blades half an inch high.

These were soon followed by the poppies' first set of true leaves, which are succulent and spiky, not unlike those of a loose-leaf lettuce. The color is a pale, vegetal, green-tinged blue, and the foliage is slightly dusted-looking; "glaucous" is the horticultural term for it.

The poppies came up in thick clumps that would clearly need thinning. The problem was, how much thinning, and when? Hogshire's book was vague on this point, suggesting a spacing of anywhere from six inches to two feet between plants. My "straight" gardening books advised six to eight inches, but I realized

that their recommendations assumed that the gardener's chief interest was flowers. I, of course, was less interested in floriferousness than in, um, big juicy pods. Eventually I called one of the seed companies that sell poppies and delicately asked about optimal spacing, "assuming for the sake of argument someone wanted to maximize the size and quality of his poppy heads." I don't think I aroused any suspicion from the person I talked to, who advised a minimum of eight inches between plants.

Around the time I first thinned my poppies, late in May, a friend who knew of my new horticultural passion sent me a newspaper clipping that briefly stopped me in my tracks. It was a gardening column by C. Z.

Guest in the New York Post that carried the headline JUST SAY NO TO POPPIES. Guest wrote that although opium poppy seeds are legal to possess and sell, "the live plants (or even dried, dead ones) fall into the same legal category as cocaine and heroin." This seemed very hard to believe, and the fact that the source was a socialite writing in a tabloid not known for its veracity made me inclined to disregard it.

But I guess my confidence had been undermined, because I decided it wouldn't hurt to make sure Guest was wrong. I put in a call to the local barracks of the state police. Without giving my name, I told the officer who answered the phone that I was a gardener here in town and wanted to double-check that the poppies in my garden were legal.

"Poppies? Not a problem. Poppies have been declared a flower."

I told him the ones I had planted were labeled somniferum, and that a neighbor had told me that that meant they were opium poppies.

"What color are they? Are they orange?" This didn't seem especially relevant; I'd read that opium poppies could be white, purple, scarlet, lavender, and black, as well as a reddish-orange. I told him that mine were both lavender and red.

"Those are not illegal. I've got the orange ones in my garden. About two feet tall, came with the house. What you've got to understand is that all poppies have some opium in them. It's only a problem if you start to manufacture opium."

"Like if I slit open a head?"

"Nah, you can cut one of them open and look inside. It's only if you do it with intent to sell or profit."

"But what if I had a lot of them?"

"Say you planted two acres of poppies - just for scenery looks? It's not a problem - until you start manufacturing."

I was happy to have the state trooper's okay, but by now a seed of doubt had been planted in my mind. Whether it was C. Z. Guest or the waylaid e-mail - that stupid, incriminating query careening unencrypted through cyberspace - I'd started to get the willies about my poppies. A mild case, to be sure - except for one harrowing night in May when I was caught in the grip of a near-nightmare. In my dream I awoke to the sound of police car doors slamming out in front of my house, followed by footsteps on the porch. I leap out of bed and race out the back door into the garden to destroy the evidence. I start eating my poppies, which in the dream are already dried, dry as dust in fact, but I stuff the pods and the stems and the leaves into my mouth as fast as I possibly can. The chewing is horrible, Sisyphean, the swallowing almost impossible; I feel like I am eating my way through a vast desert of plant material, racing madly to beat the clock.

My first impulse on waking was to rip out my poppies right away. My second impulse was to laugh: so this was my first opium dream.

3.

When Jim Hogshire entered my life, in April, my poppies were six inches tall and thriving, their bed a deep, lush carpet of serrated green. I'd heard that Hogshire had raised bail, and our mutual friend was trying to put us in touch; I wanted to talk to him about his case, which I was now thinking of writing about, but I also still hoped to pick up some horticultural tips. I couldn't phone Hogshire, because he'd been thrown out of his apartment. It seems that Washington, like many states, has a law under which tenants charged with drug crimes may be summarily evicted; after the bust, someone from the sheriff's office had paid Hogshire's landlady a visit, notifying her of her "rights" in this regard and urging her to serve the Hogshires with an eviction notice. It sounded to me like a violation of Hogshire's right to due process - after all, he hadn't been found guilty of anything. This was my first introduction to what civil-liberties lawyers have taken to calling "the drugs exception to the Bill of Rights." Over the past several years, in cases involving drugs, the Supreme Court has repeatedly upheld the government's new crop of laws, penalties, and police tactics, thereby narrowing the scope of due process as well as long-established protections against illegal search, double jeopardy, and entrapment.

Hogshire began calling me at odd hours of the day and night. He sounded like a man who had been brought to the end of his tether, edgy and distrustful; disquisitions on *Papaver* nomenclature drifted into diatribes about the indignities his pet birds had suffered at the hands of the police. The voice on the phone was a far cry from the urbane and funny character I'd been reading in *Pills-ago-go*. But then, Hogshire's bust had left him broke and homeless, bouncing from one friend's couch to another, and adrift on uncharted legal waters - for no one had ever been prosecuted before for possessing dried poppies bought from a florist. Much of what he told me sounded paranoid and crazy, an improbable nightmare featuring a "snitch letter" to the police from a disgruntled houseguest; a search warrant alleging, among other things, that Hogshire was making narcotics out of Sudafed(!); and a police officer who waved Hogshire's writings in his face and asked, "With what you write, weren't you expecting this?" Listening to Hogshire's fantastic account over the phone made me more than a little skeptical, and yet everything he told me I subsequently found confirmed in the court records.

According to documents filed by the prosecutor's office, it was indeed an informant's letter that led to the March 6 raid on the Hogshires' apartment; the letter, sent to the Seattle police by a man named Bob Black, was cited along with Hogshire's published writings as "probable cause" in the search warrant. Bob Black is the disgruntled houseguest, the black hat in Hogshire's bizarre tale. A fellow Loompanics author (*The Abolition of Work and Other Essays*), Black is a self-described anarchist whom the Hogshires met for the first time when he arrived to spend the night on February 10; Loompanics owner Mike Hoy had asked the Hogshires if, as a personal favor, they'd be willing to put Black up in their apartment while he was in Seattle on assignment.

The evening went very badly. Accounts differ on the particulars, as well as on the chemical catalysts involved, but an argument about religion (Hogshire is a Muslim) somehow degenerated into a scuffle in which Black grabbed Heidi Hogshire around the throat and Jim threatened his guest with a loaded M-1 rifle. Ten days later, Black wrote to the Seattle police narcotics unit "to inform you of a drug laboratory . . . in the apartment of Jim Hogshire and Heidi Faust Hogshire." The letter, a denunciation worthy of a sansculotte, deserves to be quoted at length.

The Hogshires are addicted to opium, which they consume as a tea and by smoking. In a few hours on February 10/11 I saw Jim Hogshire drink several quarts of the tea, and his wife smaller amounts. He also took Dexadrine and Ritalin several times. They have a vacuum pump and other drug-manufacturing tech. Hogshire told me he was working out a way to manufacture heroin from Sudafed.

Hogshire is the author of the book *Opium for the Masses* which explains how to grow opium and how to produce it from the fresh plant or from seeds obtainable from artist-supply stores. His own consumption is so huge that he must be growing it somewhere. I enclose a copy of parts of his book. He also publishes a magazine *Pills a Go Go* under an alias promoting the fraudulent acquisition and recreational consumption of controlled drugs.

Should you ever pay the Hogshires a visit, you should know that they keep an M-1 rifle leaning against the wall near the computer.

Largely on the strength of this letter, the police were able to get a magistrate to sign a search warrant and raid the Hogshires' apartment. It was quarter to seven in the evening, and Jim Hogshire was reading a book in his living room when he heard the knock at the door; the instant he answered it he found himself thrown up against a wall. Heidi, who was at the grocery store at the time, arrived home to find her husband in handcuffs and a SWAT team, outfitted in black ninja suits, ransacking her apartment. The SWAT team was so large - twenty officers, by Jim's estimate - that only a few could fit into the one-bedroom apartment at a time; the rest lined up in the hall outside.

"Do you publish this?" Jim recalls one officer demanding to know, as he waved a copy of *Pills-a-Go-Go* in his face. And then, "Where's your poppy patch?" Jim pointed out that it was wintertime and asked the officer, "Why should I grow poppies when they're on sale in the stores?"

"You're lying."

This particular SWAT team specialized in raiding drug labs, which may have been what they expected to find in the Hogshires' apartment. They had to settle, however, for dried poppies: a sealed cardboard box containing ten bunches wrapped in cellophane. The police refused to believe that Hogshire had bought them from a store. The police also found the vacuum pump Black had mentioned (though they didn't bother to seize it), the jar of pills, two rifles and three pistols (all legal), a thermite flare that Hogshire had bought at a gun show, a box of test tubes, and several copies of *"Opium for the Masses"*.

The Hogshires spent three harrowing days in jail before learning of the charges filed against them. Heidi was charged with possession of a Schedule II controlled substance: the opium poppies. Jim was charged with "possession of opium poppy, with intent to manufacture or distribute," an offense that, with the firearms enhancement, carries a ten-year sentence.

At a preliminary hearing in April, Jim Hogshire was fortunate enough to come before a judge who raised a skeptical eyebrow at the charges filed against him. The hearing had its comic moments. In support of the government's assertion that Hogshire had intent to distribute, the prosecutor, apparently unfamiliar with the literary reference, cited the title of his book: "It's not called 'Opium for Me,' 'Opium for My Friends,' or 'Opium for Anyone I Know.' It's called 'Opium for the Masses.' Which indicates that it's opium for a lot of people."

The judge, a man who evidently knew a thing or two about gardening, found the language in the indictment particularly dubious: the state had accused Hogshire not of manufacturing opium but of manufacturing opium poppies. "How do you manufacture an opium poppy?" the judge asked, and then answered his own question: "You propagate them - it's the only way." By "propagate" the judge meant planting and growing, yet, as he pointed out, the state had presented no evidence that Hogshire had been doing any such thing. "If you had him with a field of poppies, then I think you've got him propagating them in some way. Particularly with the cut poppies and extracting the chemical." But without evidence that Hogshire had actually grown the poppies, the judge reasoned, there was no basis for the manufacturing charge.

The prosecutor sought to recover by citing snapshots seized in the raid that showed Hogshire in an unidentified garden with live poppies whose heads had been slit; he also claimed that "there are poppies outside of his apartment." (There may have been an element of truth to this: according to Hogshire, his landlady had had opium poppies in her garden - though in early March, at the time of the raid, it would have been too early in the season for them to have come up.)

The judge was unpersuaded: "Can you tell me whether those are the relevant genus and species? My mom has poppies outside of her house." The prosecutor could not satisfy the judge on this point, so the judge granted the defense's motion to dismiss the sole charge against Hogshire.

One might think that this would have been the end of Jim Hogshire's ordeal. But the state evidently wasn't through with him, for in June, after dropping charges against Heidi in exchange for a statement asserting that everything seized in the raid belonged to her husband, the prosecutor refiled charges - this time for simple possession of opium poppies - and also added a new felony count to the amended indictment: possession of an "explosive device," citing the thermite flare found during the raid. An arraignment on the new charges was scheduled for June 28. When Hogshire failed to appear, a warrant was issued for his arrest.

4.

I read through the court papers with a mounting sense of personal panic, for the squabble in the Seattle courtroom did not in any way seem to challenge the underlying fact that growing or possessing opium poppies was apparently grounds for prosecution. I called Hogshire's attorney, who confirmed as much and directed me to the text of the Federal Controlled Substances Act of 1970.

The language of the statute was distressingly clear. Not only opium but "opium poppy and poppy straw" are defined as Schedule II controlled substances, right alongside PCP and cocaine. The prohibited poppy is defined as a "plant of the species *Papaver somniferum L.*, except the seed thereof," and poppy straw is defined as "all parts, except the seeds, of the opium poppy, after mowing." In other words, dried poppies.

Section 841 of the act reads, "[I]t shall be unlawful for any person knowingly or intentionally . . . to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense" opium poppies. The definition of "manufacturing" includes propagating - i.e., growing. Three things struck me as noteworthy about the language of the statute. The first was that it goes out of its way to state that opium poppy seeds are, in fact, legal, presumably because of their legitimate culinary uses. There seems to be a chicken-and-egg paradox here, however, in which illegal poppy plants produce legal poppy seeds from which legal grow illegal poppy plants.

The second thing that struck me about the statute's language was the fact that, in order for growing opium poppies to be a crime, it must be done "knowingly or intentionally." Opium poppies are commonly sold under more than one botanical name, only one of which - *Papaver somniferum* - is specifically mentioned in

the law, so it is entirely possible that a gardener could be growing opium poppies without knowing it. There would therefore appear to be an "innocent gardener" defense. Not that it would do me any good: at least some of the poppies I'd planted had been clearly labeled *Papaver somniferum*, a fact that I have - perhaps foolishly - confessed in these very pages to knowing. The third thing that struck me was the most stunning of all: the penalty for knowingly growing *Papaver somniferum* is a prison term of five to twenty years and a maximum fine of \$1 million.

So C. Z. Guest had been right after all, and Martha Stewart (and the state trooper) wrong: the cultivation of opium poppies, regardless of the purpose, is indeed a felony, no different in the eyes of the law than manufacturing angel dust or crack cocaine. It didn't matter one bit whether I slit the heads or otherwise harvested my poppies: I had already crossed the line I thought I could safely toe - had crossed it, in fact, back on that April afternoon when I planted my seeds. (What's more, I was vulnerable to the very charge that hadn't stuck to Hogshire - manufacturing!) I was, potentially at least, in deep, deep trouble.

Or was I? For had anyone besides Jim Hogshire ever actually - been arrested for the possession or manufacture of poppies? A Nexis search turned up no other case; nor did calls to more than a dozen lawyers, prosecutors, civil libertarians, and journalists who keep tabs on the drug war. Several were unaware that cultivating poppies was even against the law; when so informed, nearly all had precisely the same slightly bemused reaction: "Don't you think the government has better things to do?" I certainly hoped that this was the case, but there the menacing statute was, right there on the books.

I called several experienced gardeners too, hoping to get a clearer picture of the risk involved in growing poppies. One told me a story about a DEA agent on vacation in Idaho who'd tipped off the county sheriff that poppies were being grown in local gardens; another had heard that the DEA had recently ordered the removal of the poppies growing at Jefferson's Monticello. (Both stories sounded apocryphal, but both turned out to be true.) I phoned a radio call-in gardening show, asking the resident expert whether I needed to worry about the opium poppies growing in my garden; "I'm not a lawyer," she said, "but wouldn't it be a shame if gardeners had to pass up such a magnificent flower?"

No one had heard of an actual bust, and most of the gardeners I spoke to seemed blithely unconcerned when I apprised them of the theoretical peril. Some treated me carefully, as though it were paranoid of me to worry. The answer-lady at the New York Botanical Garden tried to reassure me (a bit patronizingly, I thought) by saying that, to her knowledge, there were no "poppy patrols out there." Wayne Winterrowd, the expert on annuals who'd written "Shame to him who thinks ill" of the poppy grower, likened the crime to tearing the tags off pillows and mattresses, another federal offense no one ever seemed to do time for. Laughing off my worries, he offered to send me seeds of a "stunning" jet-black opium poppy he grew in his Vermont garden. He also confirmed (as did a botanist I spoke to later) that "breadseed poppies" as well as *Papaver paeoniflorum* and *giganteum* were botanically no different than *Papaver somniferum*. I'd planted a handful of *paeoniflorum*, and had had no idea what they were - until now.

I took no small comfort in Winterrowd's mattress-tag analogy, if only because I really did not want to have to rip out my poppies, at least not now. For my first poppy was on the verge of bloom. It was the first week of July when I noticed at the end of one slender, downward-nodding stem a bud the size of a cherry, covered in a soft, hairy down. The bud's outer covering, or calyx, had split open, and I could see the scarlet petals folded inside, packed as tightly as a parachute. By the following morning the stem had drawn itself up to its full four-foot height and the petals - five deltas of rich red silk flecked with black - had completely unfurled, casting off their calyx and turning to face the sun. That solitary exquisite bloom was followed the next day by three more equally formidable dabs of pigment, then six, then a dozen, until my poppy patch was a terrific, traffic-stopping blur of color, of a red so red as to be platonic. Now I knew what Robert Browning meant when he spoke of "the poppy's red effrontery": this hue was a shout. The lavender blooms

of another variety followed a few days later, a cooler but no less pure jolt of color. When the sun stood behind them, toward evening, the petals were as luminous as stained glass.

"It is a pity," Louise Beebe Wilder wrote, "that Poppies are in such haste to shed their silken petals and display their crowned seedpods." Having seen them, I would have to disagree with her, and not only on pharmacological grounds. The poppy's seedpods are scarcely less arresting than its flowers: swelling blue-green finials poised atop neat round pedestals (called stipes), each pod crowned with an upturned anther like a Catherine wheel. For most of the month of July my whole poppy patch was alive with interest. All at once and side by side you had the drooping sleepy buds, the brilliant flags of color, and the stately upright urns of seeds, all set against the same cool backdrop of dusty green foliage. I couldn't decide what was more beautiful: leaf, bud, flower, or seedpod. I did decide that this poppy patch was as gorgeous as anything I'd ever planted.

My fellow gardeners were making me feel foolish for even thinking of cutting down these flowers; indeed, as I admired my poppies in their full midsummer glory, this unexpectedly lavish gift of nature, it was difficult to credit the notion that they could possibly be illegal - that for the purposes of the law I might just as well be admiring packets of white powder on a table in some dingy uptown drug factory. But this, I knew, was indeed the case. And what a metamorphosis this was! - that an act as ordinary and blameless as the planting of a handful of common and perfectly legal seeds could somehow transport one into the country of criminality.

Yet this was a metamorphosis that required not only the physical seed and water and sunlight but, crucially, a certain metaphysical ingredient too: the knowledge that the poppies I beheld were, in fact, of the genus *Papaver* and the species *somniferum*. For although ignorance of the law is never a defense, in the case of poppies, ignorance of botany may be. True, I had planted seeds I knew to be *Papaver somniferum* and then blabbed that fact to the world. But what if instead I had planted "breadseed poppies," or the poppy seeds on a poppy-seed bagel? What if I had planted only the *Papaver paeoniflorum* I'd ordered, the one I'd had no idea was really *somniferum*? As I stood there admiring the extravagantly doubled blooms of this poppy, I realized that growing it was no more felonious than growing asters or marigolds - for as long, that is, as I remained ignorant of the fact that this poppy, too, was *somniferum*. But it's too late for me now; I know too much. And so, dear reader, do you.

It was precisely this knowledge that inspired the slightly cracked logic behind what I now decided to do. I had not planned to slit even one of my poppies, for fear that it was the step that would take me across the line into criminality. But now I knew I had already taken the fateful step. In for a dime, in for a dollar. I know, this wasn't even a remotely rational approach to the situation: a slit seedpod in my garden would constitute proof that I knew exactly what kind of poppies I had. Yet that particular summer afternoon, as I stood there alone with my ravishing poppies, in what, after all, was my garden, this logic seemed strangely compelling. So I combed my little stand of poppies for the fattest, most turgid seed head and bent it toward me. Taking the warm, plum-size pod between my thumb and forefinger, I nicked its skin with a thumbnail. After a moment a small bead of milky sap formed on the surface; the wound continued to bleed for a minute or two, the sap darkening perceptibly as it oxidized, and then it slowed, clotting. I dabbed the drop of opium with my forefinger, touched it to my tongue. It was indescribably bitter. The taste lingered on my palate for the rest of the afternoon.

5.

When I finally met Jim Hogshire in mid-July, it had been two weeks since his missed court date. He was staying in Manhattan, a good place to be anonymous, as he mulled over his next move.

On a hot summer morning we met for coffee on West Twenty-third Street; afterward, we planned to visit the flower district, to shop for dried poppies and check out a rumor that Hogshire had heard about a crackdown on imports of dried poppies. Hogshire was dressed all in white, a slender thirty-eight-year-old with long blond hair gathered in a neat ponytail. His face was handsome but careworn; his fine, angular features were lined, and his deep-set eyes, which are a striking shade of gray, were ringed with shadows. In conversation I found him alternately expansive and wary, though only rarely did he ask to speak off the record. For someone who had no place to live, who was one traffic stop away from going to jail, Hogshire seemed surprisingly composed - or at least a lot more composed than I would be under the circumstances.

Hogshire is passionate about poppies, and we covered that mutual interest for a while, shuttling from *Papaver* horticulture to jurisprudence, *Papaver* nomenclature to chemistry. I learned about the thirty-eight different alkaloids that have been found in *somniferum*, the "biogenetic pathways" from thebaine to morphine (he lost me here), and the "incredible potential" of the "Bentley compounds" that have been synthesized from *Papaver bracteatum*. He told me that he'd first heard about poppy tea from a friend, a gardener whose Russian grandmother had brewed it as a home remedy. Hogshire started experimenting with poppies that he found growing "literally right outside the door of my apartment."

"The first few times I got it all wrong - I didn't grind the poppies up, and I was indiscriminate, using the leaves and stems as well as the pods. I also tried smoking all the various parts, using myself and my wife as guinea pigs. I proved to myself empirically that the heads are undoubtedly the most potent part of the plant." I realized that Hogshire regarded himself as heir to a great tradition of self-experimentation in Western medicine. Eventually he learned how to make a potent tea from dried poppies, pulverizing a handful of heads in a coffee grinder and then steeping the powder in hot water. I asked him to describe the effects of a cup of poppy tea.

"It's not a knock-you-on-your-ass sort of thing, not like smoking opium. In fact, a lot of people will tell you they forget that they are high. It starts with a tickling feeling in the stomach that then rises up into the shoulders and head - this feeling of just . . . joy. You feel optimistic about things; energetic but at the same time relaxed. You'll remain functional: you won't say anything stupid and you'll remember everything that happens. You won't nod out, though you will feel a strong desire to close your eyes. Any pain you have will go away; the tea will also relieve exogenously caused depression. That's why poppy tea is served at funerals in the Middle East. It can make sadness go away."

It's hard to believe that commercially available flowers could produce such effects, and at times the claims in Hogshire's book had reminded me of earlier "household highs" - smoking banana peels, for instance ("they call me mellow yellow," Donovan had purred back in 1967), eating morning-glory seeds (purported to be a hallucinogen), or sipping cocktails made from Coca-Cola and aspirin. Could it be there was some sort of placebo effect at work here? Hogshire showed me a scientific article, from the Bulletin on Narcotics, that stated plainly that commercially sold dried poppies did indeed contain opiates, in significant quantities.

He also pointed out that it was possible to become addicted to poppy tea. In his book he says, "Opium withdrawal hurts, but the pain will end, usually within three to five days. Those are indeed hard days for the kicking addict but it is no worse than a nasty case of the flu." This certainly didn't sound like the effects of a placebo.

If Hogshire was right, then opium was hidden in plain sight in America - which certainly would explain why the government would take an interest in the author of *Opium for the Masses*. He and his small-press book had punctured a set of myths that have served the government well since 1942, when Congress decided that the best way to control opiates was to ban domestic cultivation of *Papaver somniferum* and force pharmaceutical companies to import opium (which they use to produce morphine and other opiates) from a handful of designated Asian countries. Since then the perception has taken hold that this legislative

stricture is actually a botanical one - that opium will grow only in these places. The other myth Hogshire had exploded is that the only way to extract opiates from opium poppies is by slitting their heads in the field, a complex and time-consuming process that, I heard over and over again from law-enforcement officials and gardeners alike, made the domestic production of opium impractical.

The durability of these myths has obliterated knowledge about opium that was common as recently as a century ago, when opium was still a popular nonprescription remedy and opium poppies an important domestic crop. As late as 1915, pamphlets issued by the U.S. Department of Agriculture were still mentioning opium poppies as a good cash crop for northern farmers. A few decades before, the Shakers were growing opium commercially in upstate New York. Well into this century, Russian, Greek, and Arab immigrants in America have used poppy-head tea as a mild sedative and a remedy for headaches, muscle pain, cough, and diarrhea. During the Civil War, gardeners in the South were encouraged to plant opium for the war effort, in order to ensure a supply of painkillers for the Confederate Army. The descendants of these poppies are thriving to this day in southern gardens, but not the knowledge of their provenance or powers.

What Hogshire has done is to excavate this vernacular knowledge and then publish it to the world - in how-to form, with recipes. As far as I can tell, the knowledge in his book hasn't seeped too far into the drug culture - *Opium for the Masses* has sold between eight and ten thousand copies, and I turned up no evidence of widespread tea-brewing in drug circles - yet I was curious to know just how far knowledge about his knowledge had spread in law-enforcement circles. As Hogshire and I strolled the few blocks up Sixth Avenue to the flower district, he told me that, since the book's publication in 1994, the price of dried poppies had doubled and the DEA had launched a "quiet" investigation into the domestic poppy trade. Agents had paid visits to dried-flower vendors, as well as to the American Association for the Dried and Preserved Floral Industry, a trade group based in Westport, Connecticut. All this sounded to me like either boastfulness or paranoia - until, that is, we got to the flower district.

Manhattan's flower district is modest, a picturesque couple of blocks of lower Sixth Avenue where a few dozen dried- and cut-flower wholesalers have their showrooms at street level. As a pedestrian reaches Twenty-seventh Street, what had been a particularly dreary stretch of Manhattan suddenly erupts into greenery and bloom. Buckets of dried lotus heads and hydrangeas line the storefronts, gardenias in hanging baskets perfume the air, and clusters of potted ficus trees briefly transform the grubby sidewalk into a fair copy of a garden path. On Twenty-eighth Street we stopped in a narrow, cluttered shop that specializes in dried flowers. Hogshire surveyed a long wall of cubbies stuffed with unlabeled bunches of dried flowers - yarrow, lotus, hydrangeas, peonies, and roses in a dozen different hues - until he spotted the poppies: four different grades, their seedpods ranging in size from marbles to tennis balls, most of them in bunches of ten wrapped in cellophane. The smallest ones still wore a green tint and had a few crunchy leaves wrapped around their stems. The larger poppy heads were buff-colored and strikingly sculptural. They reminded me of a botanical photograph by Karl Blossfeldt, the early-twentieth-century German photographer whose portraits of stems and buds and flowers make them look as if they'd been cast in iron. Hogshire asked the woman at the register if she'd had any problems lately obtaining poppies. She shrugged.

"No problems. How many you need?" I took a bunch, for \$10. I felt weirdly self-conscious about my purchase, and the plastic sack she offered me was too short for the long stems, so before we stepped back out onto the street I turned the bunch head-down in the bag.

We heard a very different story across the street, at Bill's Flowers. Bill told us that he couldn't get poppies anymore; according to his supplier, the DEA - or the USDA, he wasn't sure - had banned imports a few months before, "because kids were smoking the seeds or something." The supplier had told him that it was okay to sell whatever inventory he had left but that there'd be no more poppies after that. Bill's story was

my first indication that the federal authorities were, as Hogshire had claimed, doing something about the poppy trade - though it would take me several more weeks to figure out exactly what that something was.

Before the morning was over, Hogshire invited me up to his room; the day was getting hot, and he wanted to change his shirt. Most nights since his eviction he'd spent in the apartments of friends, far from home. Tomorrow he expected to be staying somewhere else. I'd asked him earlier why he hadn't stayed to face the charges in Seattle.

"I would go back in a second if I thought they were going to fight fair - if I could be sure they wouldn't manufacture evidence or slap me back in jail at my arraignment. But the fact that they wouldn't just drop this thing after the first charge was thrown out shows me they're being vindictive." (By February, Hogshire had had a change of heart. He said that he'd retained a new lawyer and that he was planning to go back to Seattle to face the charges against him.)

I sat on the bed while Hogshire changed his shirt. Looking around the cramped room, I could see he was traveling light, with little more than a change of clothes, his laptop computer, some books, a stack of articles about poppies, and a sheaf of legal papers about his case. I wondered what it would be like to slip underground - not to be able to go home, not to have your stuff around, not even to know exactly where you would be spending the next night, week, month.

6.

Easy as it may have been to distance myself from Hogshire's underground existence, riding home on the commuter train I found myself wondering just how much circumstantial distance really stood between Jim Hogshire and me. It was less than meets the eye, and far too little for comfort. I had poppies growing in my garden, after all, and I was preparing an article that would not only acknowledge that fact but would also reprise the very information that had gotten Hogshire into so much hot water. With what you publish, the officer had asked Hogshire as they hauled him off to jail, weren't you expecting this? So what, exactly, set us apart? For one thing, my life wasn't lived as close to society's margins as Jim's appeared to be; for another, I was writing for a national magazine rather than the fringe press. And this: I didn't associate with people like Bob Black.

I clung to these distinctions in the weeks that followed as I made a concerted effort to learn just how strongly the DEA really felt about poppies - whether, as Hogshire had suggested, the government had launched an investigation and crackdown on domestic opium growing. My curiosity on this point was journalistic but also somewhat more self-interested, and urgent, than that. For by discovering what the DEA was up to, I hoped to learn whether the paranoid fantasies gnawing at me had any basis in reality. I needed to know whether I should be getting rid of my poppies as quickly as possible or whether I could safely let them ripen and then perhaps experiment with poppy tea.

I started checking out Hogshire's leads. At the American Association for the Dried and Preserved Floral Industry, Beth Sherman confirmed that a DEA agent by the name of Larry Snyder had indeed paid the group a visit in 1995. "He asked us to put an article in our newsletter advising people not to carry this certain kind of poppy," she told me. The poppy had always been illegal, the agent had explained to them, but "prior to this they didn't enforce it. They were trying to correct something that had gotten out of hand, but they were trying to do it in a low-key way." The association agreed to publish an article supplied by the DEA informing their membership that it was illegal to possess or sell *Papaver somniferum*.

Hogshire had told me that a Seattle-area flower shop called Nature's Arts, Inc., had also been contacted by the DEA. I got in touch with Don Jackson, the shop's owner. Jackson, who has been in the dried-flower

business for forty-five years, told me that a local DEA agent named Joel Wong had visited his shop in March of 1993. The agent had told Jackson that he was investigating poppies and wanted to know what kind his store carried and where they came from.

"He took away several poppies and had them tested. A few weeks later he told me that they were of the opium type and that someone could get high on it, but he didn't say I had to stop selling them." Since then, Jackson had heard rumors of a crackdown and said that he knew of several big domestic growers who had stopped planting poppies for fear of having their crops confiscated. Jackson was concerned about the disappearance of somniferum from the trade: "We don't have anything to replace it with." he explained. "That seedpod is so nice and big and round. It's just what people are looking for as a focal point in an arrangement."

When I tried to get in touch with Joel Wong I learned that he'd recently retired. Another agent in his office took my call but insisted, at the end of a fifteen-minute chat, that I not quote him by name. Under the circumstances, I think I'll oblige. Agent Anonymous seemed to be unaware of his predecessor's investigation into dried poppies, so I changed the subject to poppy growing.

"It's illegal to grow opium poppies," the agent said, "but frankly I don't see it becoming a big problem, only because it's so labor-intensive to harvest the opium. You've got to go out early in the morning and slit the pods, then wait until the gum oozes out, and then you have to scrape it off pod by pod. Why would you do all this when you can go down to First and Pike and score some black tar?" (Black tar is a cheap form of heroin from Mexico.) "I say, let 'em at it - it's not going to be a big problem."

It was a friendly enough chat, so I figured I'd ask the agent what advice he'd give a gardener of my acquaintance who had opium poppies growing in his garden. "I'd tell him it's illegal and he's running a risk of getting his front door kicked. But I've got priorities. If he's a University of Washington botanist who's growing poppies, he's not going to have his door kicked; on the other hand, if this professor's scoring the pods, his door most likely will be kicked. It's on a case-by-case basis.

"But I would also tell him, Why grow this illegal plant when there are so many other beautiful plants you can grow? That would be my advice: Why grow the opium when you can put your energy into bonsai plants or orchids, which are so much more challenging? Because how many people can grow an orchid?"

I had told him that I was a garden writer, and he seemed eager to talk about orchid growing, his hobby; he mentioned he kept an orchid on his desk. But when I pressed him about my hypothetical opium-poppy grower, he fumed distinctly less amiable.

"What if this poppy grower is also publishing articles about how to make poppy tea?"

"Then his door is going to be kicked. Because he's trying to promote something that's illegal."

It was a chilling conversation. I was reminded of something Hogshire had said about the laws governing opium poppies. "It's as if they had on the books a twenty-miles-per-hour speed limit that was never posted, never enforced, never even talked about. There's no way for you to know that this is the law. Then they pick someone out and say, Hey, you were going fifty. Don't you know the speed limit is twenty? You broke the law - you're going to jail! But nobody else is being stopped, you say. That doesn't matter - this is the law and we have the discretion. The fact that your car is covered with political bumper stickers that we don't like has nothing to do with it. This isn't about free speech!" Whatever else they may be, the drug laws are a powerful weapon in the hands of an Agent Anonymous or, for that matter, a Bob Black. With the speed limit set so low, all it takes is an angry government agent or a "citizen informant" to get you pulled over - to

get your door kicked.

It was soon after my conversation with Agent Anonymous that I had my second opium dream. July was nearly over, and I'd come down with a case of Lyme disease, so my nights were already frightful enough, a roller coaster of fevers and bone-rattling chills. In the dream I awoke to find faces pressed against the windows of my bedroom, five panes filled with five round white heads: slightly elfin, slightly Slavic-looking. It's a raid, I realize; they're looking for poppies. All night long they search my house, and then, at daybreak, they begin to scour my vegetable garden. They're examining every inch of soil, they're even dusting the leaves of my cabbages for fingerprints. My tormentors are peculiarly non-menacing, and in this dream I've already pulled out my poppies, so I should have nothing to worry about. Even so, I'm trying as hard as I can to watch all five of them at once, just to make sure they don't "plant" anything, but no matter which way I move, none of them is always blocking my view of the others. I move this way, then that, and the frustration of not being able to see what they're up to builds until I think I'm going to explode. And then all of a sudden I spot a single, gorgeous lavender poppy in full bloom on the other side of the garden fence: an escapee. Will they notice it? I wake before I find out, the bedclothes drenched with perspiration.

Maybe the Lyme disease explains the nightmare - I'd had intense, fevered dreams all that week - but it could also have been the call I received from Jim Hogshire earlier that day, announcing that he was thinking of coming up to my place "to help out with the harvest." By comparison, the dream was a walk in the park, for here was a genuine nightmare: I was sick with a 103-degree fever, my joints so stiff I could scarcely turn my head, and a man who was wanted by the police and had no place to live was proposing to come over to help me harvest a crop that could land me in jail. My mind careened as I considered precisely how terrible an idea this was. Did I really want someone who might well, at some point, come under intense pressure from the police (all right, Hogshire, who else can you finger?) to see my garden? And once he had unpacked, how was I ever going to get my houseguest to leave? (The Cable Guy was in the movie theaters that week.) This is, I know, terribly unfair to Jim Hogshire, who strikes me as a decent-enough fellow, but I kept thinking about something disturbing that he'd told me: that, after his eviction, he had given some serious thought to turning in his landlady for growing opium poppies. I was also flashing on the figure of Bob Black, the Houseguest from Hell. I rifled my brain for a polite and halfway credible excuse, but this was a summit that social etiquette had not yet scaled. In the end I merely spluttered something pathetic about being too sick to think about having people over right now and needing to check with my wife before extending any invitations.

I also told Hogshire that I wasn't sure whether I was ever going to harvest, which was true. I didn't yet have a good enough fix on the DEA's intentions regarding poppies and, therefore, on the risk harvesting might entail. It appeared that the DEA was up to something, but what, exactly? I knew I should contact the DEA's Washington, D.C., headquarters, but knowing how opaque its agents can be (and being more than a little nervous about alerting them to my existence and interests while my plants were still in the ground), I decided it might be best first to find out as much as I could about the scope of their domestic poppy campaign.

I called Shepherd Ogden at Cook's, one of the seed companies that sells opium poppies. He'd heard rumors that the DEA had sent letters to seed companies requesting they stop selling somniferum, though he hadn't received one himself. Ogden reiterated what I already knew: that the sale of seeds is perfectly legal. Beyond that he was uncertain. He suggested that I check with the Association of Specialty Cut Flower Growers, a trade group in Oberlin, Ohio. As it turned out, the president of the association, a northern California flower grower named Will Fulton, had just drafted a column for the latest issue of the association's newsletter alerting members to the DEA letter, which had been received by "one of our most reputable seed companies." The column quoted the letter's first paragraph:

It has come to the attention of the United States Department of Justice, Drug Enforcement Administration (DEA), that in certain parts of the United States the opium poppy (*Papaver Somniferum L.*) is being cultivated for culinary and horticultural purposes [the italics are Fulton's]. The cultivation of opium poppy in the United States is illegal, as is the possession of "poppy straw," (all parts of the harvested opium poppy except the seeds). Certain seed companies have been identified as selling opium poppy seeds, some with instruction for cultivation printed on the retail packages. Before this situation adds to the drug abuse epidemic, DEA is requesting your assistance in curbing such activity.

Judging by the spirited polemic that followed, Will Fulton is the Tom Paine of the cut-flower world. "Wait a minute!" he wrote. "Where's the *mens rea* [criminal intent] here?" Imagine yourself in the interrogation room, he asked his members: "'So, you admit that you intended to cultivate for culinary or horticultural purposes.'

"Why is it illegal to plant a seed, a gift from nature, when your only intention is to grow it for its physical beauty, yet at the same time it is perfectly legal to purchase an AK-47 when your only intention is gopher control?" True, the Founding Fathers had provided for a specific right to bear arms, but the only reason they'd had nothing to say "about the right to plant seeds [was] . . . because it never would have occurred to them that any state might care to abridge that right. After all, they were writing on hemp paper."

When I reached Fulton at his flower farm in northern California, he identified the recipient of the DEA letter as Thompson & Morgan, a venerable British-owned company with offices in New Jersey. Lisa Crownings, the chief horticulturist at Thompson & Morgan, confirmed having received the letter, which she regarded as "intimidating" and "worrisome." Sent by registered mail in late June, the letter was signed by "Larry Snyder, Chief, International Drug Unit" - the same man who'd paid a visit to the American Association for the Dried and Preserved Floral Industry. Thompson & Morgan hadn't yet made a final decision on the DEA's request, but Crownings hoped the firm would continue to offer opium poppies, which she told me she grows in her own garden. Crownings had telephoned Larry Snyder, hoping that there might be "some halfway measure" that would satisfy the DEA (she mentioned putting a warning in the catalogue, or removing growing instructions from the packets) but found him completely inflexible. "We don't want to offend the DEA," she told me, "but we feel we are completely within our rights to sell these seeds."

The full text of Snyder's letter to Thompson & Morgan brought the alarming news that the DEA was indeed arresting poppy growers. It alluded to "a recent DEA drug seizure involving a significant quantity of poppy plants . . . many with scored seed pods . . . [that] revealed a supply of poppy seeds noting the date of the shipment and the name and address of your company as the supplier. You should be aware that supplying these seeds for cultivation purposes may be considered illegal." After that thinly veiled threat, Snyder called for a "voluntary cessation of the sale of *Papaver Somniferum L.*"

By October the horticultural grapevine was abuzz with poppy talk and what sounded to me like rumors of war. From Beth Benjamin at Shepherd's Garden Seeds I learned that the police had seized poppies from a public garden project for the homeless that the firm had backed in Santa Cruz. From Will Fulton I learned about a grower in northern California who had had his crop plowed under by the DEA. From the American Seed Trade Association (ASTA) I learned that the DEA - in the person of Larry Snyder - had formally requested that the group call for a voluntary ban on sales of poppy seeds; the association had complied, a staffer told me, "as a civic-duty type of thing." From Katie Sluder, an importer of dried flowers based in North Carolina, I learned that a container load of poppies that she had ordered from a grower in Holland

had been turned back by U.S. Customs.

A crackdown was under way, but it was an oddly muffled crackdown. Rather than stage a few well-publicized raids, the DEA seemed to be pursuing a far more subtle strategy. It was working within the industry (in some cases by intimidating companies engaged in legitimate trade) to stanch supplies of both seeds and dried flowers without making any noise in public, much less publicizing exactly what people might be doing with poppies. The subtle hand behind these efforts apparently belonged to Larry Snyder, and I decided the time had come for me to talk to him. When I spotted his phone number printed in ASTA's newsletter, I felt as though I had stumbled upon the Wizard of Oz's direct line.

After I introduced myself as a garden writer, Snyder agreed to an interview. I began by asking his advice on the poppies growing in my garden. He came right to the point: "My advice is not to grow them. It is a violation of federal law. I would get rid of them." He added that "we're not going into Grandma's garden and taking samples of her poppies" and confirmed that a gardener had to be growing *P. somniferum* with knowledge and intent before the deed became a crime.

Perhaps trying to be helpful, Snyder pointed out that there are 1,200 other species of poppies I could be growing instead, including "*rhoeas* and *giganteum* and a jillion others." *Giganteum*? Wasn't that the one Wayne Winterrowd had said was just a strain of *somniferum*? I asked him to describe it. "It's got an even bigger capsule than *somniferum*. I've got one of them sitting right here on my desk."

Snyder acknowledged that the DEA had done nothing to enforce the laws against poppy growing until recently, after receiving "some information coming in out of the Northwest and California that people were making a tea from dried and fresh poppies."

Was he familiar with a book called *Opium for the Masses*?

After what felt to me like an uncomfortably long pause, he said simply, "We see most of the publications."

I might be mistaken, but it was my impression that Snyder grew suddenly curt with me at this point in our conversation. He refused to say anything more about the seizure mentioned in his letter to the seed companies, on the ground that it was "still an active case." When I wondered on what authority the DEA could stop seed companies from selling legal seeds, he cut me off: "If they sell for cultivation purposes, that is illegal." It was hard to see what other reason a seed company would have for selling seeds.

Then I asked Larry Snyder if he worried that his efforts might alert people to just how easy it is to obtain opiates in this country.

"There's always a risk that as more people become aware, some people will try it. It's kind of like announcing that the bank leaves the vault open at nine o'clock in the morning. Is that going to induce someone to rob the bank? Draw your own conclusions."

7.

The conclusion I drew was that the DEA was indeed trying to implement a quiet crackdown, attempting to shut down supplies of poppies, fresh as well as dried, without calling attention to the fact that, as I had discovered with Jim Hogshire's help, they are commonly available and easily converted into a narcotic. What was in the bank vault that Snyder alluded to was this very knowledge, still shut up behind a high wall of misinformation and myth. The DEA appears to be intent on keeping it there, making sure that domestic opium disappears before the knowledge gets out that it is, in fact, hidden in plain sight.

The government would seem to be walking a tortuously narrow path here, attempting to send one message to those who are in the know and a very different one to those who are not. This delicate balancing act was on full display in the seizure that Larry Snyder wouldn't discuss with me. I'm fairly sure that I now know what bust Snyder was talking about - or not talking about. On June 11, a few weeks before my own poppies had bloomed, the DEA and local law-enforcement agents in Spalding County, Georgia, raided the garden of Rodney Allen Moore, a thirty-one-year-old unemployed man, and his wife, Cherie. Agents seized 258 poppy plants, many of them with their seed capsules scored; two dozen marijuana seedlings; and several ounces of bagged marijuana. A search of the trailer in which the Moores lived turned up records indicating that the poppy seeds had been ordered from Thompson & Morgan and two other firms, as well as a copy of *Opium for the Masses*. Moore was charged with manufacturing morphine and possession of marijuana. Although he had no prior arrest record, he was (and as of February is still being) held on \$100,000 bail.

It does not appear that Moore's bust was part of any organized crackdown on people who grow poppies; acting on an anonymous tip, agents had come looking for a plantation of marijuana and apparently stumbled upon the poppies. But the way the raid was handled is, I think, indicative of the government's two-pronged strategy with respect to domestic opium. While with one hand the DEA took advantage of the bust to track down and apply pressure to the companies that had (legally) sold Rodney Allen Moore his poppy seeds, with the other it sought to spread a thick cloud of disinformation about poppies before the public.

AGENTS TO CHECK ON HOW POPPIES ENTERED THE COUNTRY, read the page-one headline in the Griffin Daily News, alongside a photo of one of Moore's scored poppy heads. The article made no mention of the well-known seed catalogues found in Moore's trailer, which, of course, proved that his poppies had not "entered" the country at all. Instead it quoted Vincent Morgano, a DEA agent, claiming that the growing of opium poppies in this country was unheard of: "In my 25 years with the agency I have never seen it grown in the United States." Clarence Cox, head of the Griffin-Spalding Narcotics Task Force, assured the press that the confiscated poppies are not the same kind that are commonly grown in American flower gardens; Spalding County Sheriff Richard Cantrell said that each of the 258 seedpods seized in the raid could, if properly harvested and processed, yield up to a kilo of heroin apiece. (Talk about alchemy!) Bill Maloney, also with the DEA, explained to a reporter that extracting narcotics from the pods entailed a very complicated and dangerous procedure: "I don't even think someone with a Ph.D. could do it." He also said that opium poppies were extremely rare in the southeastern United States. "The climate has to be just right," he explained. "The temperatures have to be warm and you have to have the right amount of water."

All these assertions I read in the Griffin Daily News, which had taken them on faith. And why not? What reason would government officials have to lie about horticulture? Yet several of these statements I had already disproved in my own garden. I knew for a matter of fact that the poppies in question - *Papaver somniferum* - are indeed the same kind commonly grown in American gardens, and that growing them anywhere in the country is not by any stretch a horticultural challenge. And although I did not yet have direct knowledge that these poppies could be made into a narcotic tea, James Duke, a botanist I contacted at the United States Department of Agriculture, had told me that ordinary, garden-variety opium poppies did contain morphine and codeine, and that these alkaloids could easily and effectively be extracted from fresh or dried seedpods by infusing them in hot water - by making a tea. Duke, who has done extensive work on poppies and is something of a legend in botanical circles, further suggested that alcohol would make a better solvent for extracting alkaloids from poppies than water, which made sense: laudanum is a name for just such a tincture of opium. "You can get the equivalent of a shot of heroin from a good green pod dissolved in a glass of vodka," Duke told me. "So you can see why they might be concerned."

And why they might be inclined to lie. If opium is so easy to grow, and opium tea so easy to make, the best - perhaps the only - way for the government to stop people from growing and making their own is to convince them that it can't be done.

I had every reason to believe that James Duke and Jim Hogshire were right, and to doubt the statements of the government agents in Georgia. But it still seemed to me that, in light of the ever-thickening mist of mis- and disinformation swirling around the subject of poppies, the best way to nail down the last piece of poppy knowledge would be to perform a simple experiment on the flowers in my garden. I understood by now that the laws governing poppy cultivation had already expelled me from the country of the law-abiding, indeed had done so even before I knew it had happened. Since those laws drew no distinction between growing poppies and making poppy tea, there seemed to be no good reason not to take the steps needed to satisfy my curiosity.

Drinking tea was unlikely to put me in any greater jeopardy than I already was. But what about writing about the experience? It was with that troubling question in mind that I went in search of some legal advice.

Many pages ago I mentioned that civil liberties lawyers now speak in terms of a "drugs exception" to the Bill of Rights, and in the last few weeks I have had a chilling education into exactly what that means, under the tutelage of several criminal lawyers and one former district attorney. Throughout this whole experiment, my worst-case scenario, inspired largely by Jim Hogshire's experience, has been the midnight visit from the police; the seed of my paranoia, the germ of my opium dreams, had always been the team of agents armed with a search warrant, tearing up my house and garden while my family and I look on helplessly. I had always assumed, though, that the government would need some physical evidence (surely the poppies themselves!) or at least an eyewitness - some sort of independent corroboration of the fact that I grew poppies - before it could bring charges against me.

But after two decades of war against drugs, the power of the government to move against its citizens has grown even greater than many of us realize. According to the lawyers I've talked to, a search warrant may turn out to be the least of my worries. It is at least conceivable that a federal prosecutor could charge me with manufacturing a Schedule II controlled substance with no more evidence than the contents of this article. And then there is this even more disturbing fact: under federal asset-forfeiture laws amended by Congress in 1984 and upheld by the U.S. Supreme Court, the government could seize my house and land and evict my family from our home without convicting me of any crime, indeed without so much as charging me with one. My house and garden can be "convicted" of the crime of manufacturing opium poppies regardless of whether I am ever charged, let alone convicted, of that offense. That's because under the civil-forfeiture statute the standard of proof is much lower than in a criminal prosecution; the government need only demonstrate "probable cause" that my property was involved in a violation of the drug laws in order to confiscate it. What would it take to establish that probable cause? In the opinion of some of the lawyers who have read it, nothing more than the article you hold in your hand.

To borrow an expression from Jim Hogshire, I have exceeded the twenty mile-an-hour speed limit that the government has posted (or not posted) over the growing of poppies; that much this article has established. By publishing it, I enter a zone where the government possesses the means by which to make a mess of my life. Will its agents avail themselves of those means, will they pull me over? Obviously there's no way of knowing; a huge uncertainty has entered my life. But the decision now is theirs. And it is a decision that will be shaped by certain facts of a political and even rhetorical nature that I would be foolish to ignore.

I happen to believe that it would be no big deal to harvest a couple of seedpods from my garden, to crush

and steep them in a cup of hot water, and to taste the resultant tea. (It certainly wouldn't take a Ph.D.) I happen also to think that it wouldn't be wrong to describe that tea as little more than an interesting home remedy - a powerful analgesic that also produces a mild sensation of euphoria. But that's my description. And now that I have made myself vulnerable to the government's police power, I am forced to weigh, if not honor, the government's very different description of those same acts: that making poppy tea is "manufacturing narcotics"; that printing its recipe and describing its effects in any but the most horrific terms would be "promoting drug abuse." The decision whether or not to prosecute a person turns not only on what crimes he may or may not have committed but also on what sort of story a prosecutor can tell about him. If I were to describe here the brewing and tasting of poppy tea, it would be that much easier for a prosecutor to tell a story in which I appear less like the countless thousands of poppy-growing gardeners to whom the police turn a blind eye each season and more like, well, Jim Hogshire.

Hogshire still calls and e-mails me now and then, from wherever. ("Before I say anything else," one recent communique began, "I wanna make sure I remembered your e-mail [address] right so write me back and tell me something you know ...") In our last conversation he urged me to be "extremely careful what you write, man." Hogshire's experience certainly suggests that it is not my experiments with poppies that are apt to get me in trouble; it is the act of publishing an account of those experiments - the one act that, ironically enough, is constitutionally protected. Would Jim Hogshire have been prosecuted for the possession of store-bought dried poppies had he never published an upbeat how-to called *Opium for the Masses*? It seems doubtful.

We'll kick his door, Agent Anonymous had memorably vowed when I described to him a hypothetical author of articles about making poppy tea. Why? Because that's promoting something illegal. As the cases of Jim Hogshire and Rodney Allen Moore suggest, the government appears every bit as concerned with the supply of poppy information as it is with the supply of poppies themselves. With what you write, the arresting officer had asked Jim Hogshire as they drove him off to jail, weren't you expecting this? This is not a question I ever want to hear.

8.

It was on a chilly afternoon last fall that I set to work pulling up my withered poppies. By now they had dried on their stalks, forming crinkled brown pods the size of walnuts. Examining the seedpods, I could see that the tiny portals circling the anther at the top of each capsule had opened, releasing the poppy seeds to the wind. The seed portals looked like the little observation windows circling the crown of the Statue of Liberty. By now the seeds had probably been dispersed all over the neighborhood and would probably come up on their own, willy-nilly, next spring.

(What, I wondered, would be the legal status of poppies that had planted themselves?) I made a mental note to weed very carefully next season.

I was unsure exactly what to do with this crop of dead flowers - this evidence. I'd read that police no longer needed a warrant to search my garbage (another juridical fruit of the drug war), so throwing the poppies out with the trash was not an option. The seedpods I decided simply to crush in my fists; it was blowing fitfully that day, and the brown shards, light as chaff, were carried off on the wind. That left only the anonymous-looking stalks, which I decided to compost - somewhere off my property.

As I gathered up the poppy stalks, I reflected on the season's unusual harvest. Pride is a common enough emotion among gardeners at this time of year - that, and a continuing amazement at what it is possible to create, virtually out of nothing, in one's garden. I still marvel each summer at the achievement of a Bourbon rose or even a beefsteak tomato - how the gardener can cause nature to yield up something so specifically

attractive to the human eye or nose or taste bud. So it was with these astonishing poppies: how can it be that such an inconsequential speck of seed could yield a fruit in my garden with the power to lift pain, alter consciousness, "make sadness go away"?

We have the scientist's explanation: the alkaloids in opium consist of complex molecules identical to the molecules that our brain produces to cope with pain and reward itself with pleasure, though it seems to me that this is one of those scientific explanations that only compounds the mystery it purports to solve. For what are the odds that a molecule produced by a flower out in the world would turn out to hold the precise key required to unlock the physiological mechanism governing the economy of pleasure and pain in my brain? There is something miraculous about such a correspondence between nature and mind, though it too must have an explanation. It might be the result of sheer molecular accident. But it seems more likely that it is the result of a little of that and then a whole lot of co-evolution: one theory holds that *Papaver somniferum* is a flower whose evolution has been directly influenced by the pleasure, and relief from pain, it happened to give a certain primate with a gift for horticulture and experiment. The flowers that gave people the most pleasure were the ones that produced the most offspring. It's not all that different from the case of the Bourbon rose or the beefsteak tomato, two other plants whose evolution has been guided by the hand of human interest.

There was a second astonishment I registered out there that autumn afternoon, this one somewhat darker. As I threw my broken stalks on the compost and turned them under with a pitchfork, I thought about what it could possibly mean to say that this plant was "illegal." I had started out a few months ago with a seed no more felonious than the one for a tomato (indeed, they had arrived in the same envelope), and, after planting and watering it, thinning and weeding and performing all the other ordinary acts of gardening, I kind ended up with a flower that rendered its cultivator a criminal. Surely this was an alchemy no less incredible than the one that had transformed that same seed into a chemical compound with the power to alter the ratio of pleasure and pain in my brain. Yet this second transformation had no basis in nature whatsoever. It is, in fact, the result of nothing more than a particular legal taxonomy, a classification of certain substances that appear in nature into categories labeled "licit" and "illicit." Any such taxonomy, being the product of a particular culture and history and politics, is an artificial construct. It's not difficult to imagine how it might have been very different than it is.

In fact it once was, and not so long ago. Not far from my garden stands a very old apple tree, planted early in this century by the farmer who used to live here, a man named Matyas, who bought this land in 1915. (The name is pronounced "matches.") The tree still produces a small crop of apples each fall, but they're not very good to eat. From what I've been able to learn, the farmer grew them for the sole purpose of making hard cider, something most American farmers had done since Colonial times; indeed, until this century hard cider was probably the most popular intoxicant - drug, if you will - in this country. It shouldn't surprise us that one of the symbols of the Women's Christian Temperance Union was an ax; prohibitionists like Carry Nation used to call for the chopping down of apple trees just like the one in my garden, plants that in their eyes held some of the same menace that a marijuana plant, or a poppy flower, holds in the eyes of, say, William Bennett.

Old-timers around here tell me that Joe Matyas used to make the best applejack in town - 100 proof, I once heard. No doubt his cider was subject to "abuse," and from 1920 to 1933 its manufacture was a federal crime under the Eighteenth Amendment to the Constitution. During those years the farmer violated a federal law every time he made a barrel of cider. It's worth noting that during the period of anti-alcohol hysteria that led to Prohibition, certain forms of opium were as legal and almost as widely available in this country as alcohol is today. It is said that members of the Women's Christian Temperance Union would relax at the end of a day spent crusading against alcohol with their cherished "women's tonics," preparations whose active ingredient was laudanum - opium. Such was the order of things less than a century ago.

The war on drugs is in truth a war on some drugs, their enemy status the result of historical accident, cultural prejudice, and institutional imperative. The taxonomy on behalf of which this war is being fought

would be difficult to explain to an extraterrestrial, or even a farmer like Matyas. Is it the quality of addictiveness that renders a substance illicit? Not in the case of tobacco, which I am free to grow in this garden. Curiously, the current campaign against tobacco dwells less on cigarettes' addictiveness than on their threat to our health. So is it toxicity that renders a substance a public menace? Well, my garden is full of plants - datura and euphorbia, castor beans, and even the stems of my rhubarb - that would sicken and possibly kill me if I ingested them, but the government trusts me to be careful. Is it, then, the prospect of pleasure - of "recreational use" - that puts a substance beyond the pale? Not in the case of alcohol: I can

legally produce wine or hard cider or beer from my garden for my personal use (though there are regulations governing its distribution to others). So could it be a drug's "mind-altering" properties that make it evil? Certainly not in the case of Prozac, a drug that, much like opium, mimics chemical compounds manufactured in the brain.

Arbitrary though the war on drugs may be, the battle against the poppy is surely its most eccentric front. The exact same chemical compounds in other hands - those of a pharmaceutical company, say, or a doctor - are treated as the boon to mankind they most surely are. Yet although the medical value of my poppies is widely recognized, my failure to heed what amounts to a set of regulations (that only a pharmaceutical company may handle these flowers; that only a doctor may dispense their extracts) and prejudices (that refined alkaloids are superior to crude ones) governing their production and use makes me not just a scofflaw but a felon. Someday we may marvel at the power we've invested in these categories, which seems out of all proportion to their artifice. Perhaps one day the government won't care if I want to make a cup of poppy tea for a migraine, no more than it presently cares if I make a cup of valerian tea (a tranquilizer made from the roots of *Valeriana officinalis*) to help me sleep, or even if I want to make a quart of hard apple cider for the express purpose of getting drunk. After all, it wasn't such a long time ago that the fortunes of the apple and the poppy in this country were reversed.

As I made sure the stalks were well interred beneath layers of compost, close enough to the heat at the center of the pile to blast them beyond recognition, I thought about how little had changed in my garden since Joe Matyas tended it during Prohibition, a time we rightly regard as benighted - and wrongly regard as ancient history. If anything, those of us living through the drug war live in even stranger times, when certain plants themselves have been outlawed from our gardens with no regard for what one might or might not be doing with them. Prohibition never outlawed Joe Matyas's apple trees (nor did it threaten this property with confiscation) it wasn't until Matyas made his cider that he crossed the line.

But there it was, then as now, a line through the middle of this garden. Thanks to two national crusades against certain drugs that can be easily produced in it, both he and I found a way to violate federal law without so much as stepping off the property, and jeopardized our personal freedom simply by exercising it. In addition to inhabiting this particular corner of the earth, Matyas and I presumably had a few other things in common. There is, for example, the desire to occasionally alter the textures of consciousness, though I wonder if that might not be universal. And then there's this: the refusal to accept that what happens in our gardens, not to mention in our houses, our bodies, and our minds, is anyone's business but our own. Fifteen years ago, when I first moved into this place, some of the crumbling outbuildings dotting the property still bore crudely lettered warnings directed, I liked to think, at the dreaded "Revenuers" and anyone else the old farmer judged a threat to his privacy - to his liberty. KEEP OUT! went one, an angry scrawl painted in red on the side of a shed. My sentiments exactly.

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